IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 4689 of 2005

Between:

M/s Siddartha Educational Society Chennaraopet, Village and Mandal, Warangal District, rep. by its Secretary and Correspondent, K.Gopal Reddy S/o.Veera Reddy, R/o.Chennaraopet, Warangal District.

..... PETITIONER

AND

The Asst.Provident Fund Commissioner and Authority under Sec.7-A of the Act, sub Regional Office, Balasamudram, Hanamkonda, Warangal District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the order dt.6.1.2005 made in No.AP/SRO/WGL/ENF/25429/7A ORDER/2004-2005/3120 passed by the respondent herein so far it relates to directing the petitioner to pay the assessed amount therein within 10 days and also the action of the respondent seeking to arrest the petitioner for recovery of amount assessed in the order stated supra as illegal, arbitrary and pass such other order or orders in the circumstances of the case.

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondent: MR.R.N.REDDY

The Court at the stage of admission made the following ORDER:

The petitioner was issued an order of final determination, under Section 7-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, dated 06.01.2005. A sum of Rs.6,95,674/- is said to be due and an interest of Rs.1,48,780/- is levied. The petitioner states that though there exists several grounds to assail the same, it does not chose to do so, on account of the fact that the appeal is to be prosecuted at Delhi. It seeks the facility of installments. The learned standing counsel for the respondent opposes the same and submits that the amount is due since 1999.

Having regard to the facts and circumstances of the case, the writ petition is disposed of, leaving it open to the petitioner to pay the amount due in 15 equal installments, on or before 5th of every month, commencing from April 2005. In default, it shall be open to the respondent to enforce the order in accordance with the relevant provisions of law. There shall be no order as to costs.

11-03-2005

ksld

To

1. The Asst. Provident Fund Commissioner and Authority under Sec.7-A of the Act, sub Regional Office, Balasamudram, Hanamkonda, Warangal District.

2. 2 CD copies

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